



David B. Cohen

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Public Hearing Date: January 11, 2005
Land Use Action Date: March 8, 2005
Board of Aldermen Action Date: March 21, 2005
90-Day Expiration Date: April 11, 2005

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Nancy Radzevich, Chief Planner
Robert Merryman, Senior Planner

DATE: January 7, 2005

SUBJECT: #469-04 of JAMES W. DUFFY requesting a SPECIAL PERMIT/SITE PLAN APPROVAL to expand a recently constructed garage via removing interior walls to create a 950 square foot garage attached to a recently constructed single-family dwelling having approximately 32,850 s.f. of land at 15 WILLISTON ROAD, AUBURNDALE, Ward 4, Section 43, Block 24, Lot 12, within a SINGLE RESIDENCE 3 DISTRICT.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information that will be presented at or after the public hearing that the Land Use Committee will consider in its discussion at a subsequent Working Session.

I. BACKGROUND

The previous owner of the subject property had recently petitioned the Board to grant a special permit to divide the existing 32,850 s.f. parcel into two lots. The previous owner proposed to create a 21,257 s.f. rear lot behind an 11,593 s.f. front lot, and construct two new single family residences. The Board denied this request.

Subsequently, the lot was sold to the present owner and the existing ranch home was recently demolished in order to construct a new single-family residence.

II. ELEMENTS OF THE PETITION

The petitioner is proposing to construct a 7,070 square foot single-family wood frame/shingle house on an existing 32,850 s.f. lot, with a 972 s.f. garage. The petitioner is seeking a special permit for the garage, which will exceed the 700 s.f. maximum area requirement established in the Zoning Ordinance.

The petitioner has already obtained a building permit for the new residence. The petitioner advised the Planning Department that the plans filed for building permit include an interior wall within the “garage” area, which allows the garage to comply with the 700 s.f. limit. This wall will simply be removed if the special permit is granted.

The Zoning Administrator’s review dated December 8, 2004 is attached to this memorandum (SEE “ATTACHMENT A”).

III. ZONING RELIEF BEING SOUGHT

The petitioner is seeking relief from or approvals through the following sections of the Zoning Ordinance:

- A. Section 30-8(b)(7) allows the Board of Aldermen to grant a special permit for a garage that exceeds the maximum of 700 square feet requirement;*
- B. Section 30-23 for Site Plan Approval; and*
- C. Section 30-24 for Special Permit Approval.*

IV. SIGNIFICANT ISSUES FOR CONSIDERATION

In reviewing this petition, the Board of Aldermen should consider whether or not the proposed garage is consistent with the scale and character of the proposed residence, and whether the 972 s.f. garage would have any adverse effect on the neighborhood.

V. CHARACTERISTICS OF THE SITE, AND NEIGHBORHOOD

A. Site

The subject property is located at 15 Williston Road and contains approximately 32,850 s.f. of land. The site was improved with a small 1-story, single-family, Ranch-style dwelling built in 1952, which was demolished in the past year, after the one-year demolition delay imposed by the Newton Historical Commission had expired.

The existing lot has an irregular shape, having 10 straight sides and one curved side. The existing lot generally has a downward slope, with the highest point located at the southeast corner of the property, adjacent to Williston Road, and the lowest point in the northwest corner. The northwest corner of the lot has a depression but it appears that the soils allow for quick drainage from this area.

A new 13-15 foot wide driveway is proposed to access the new residence. The proposed access to Williston Road will be via the existing curb cut.

B. Neighborhood

The site is located in the middle of a Single Residence 3 District in Auburndale. Single-family residences are the predominant land use in the neighborhood. Other nearby land uses include the nonprofit Walker Center for Ecumenical Exodus, the Williams Elementary School, and several multi-family residential structures. The Riverside Green Line MBTA stop is less than 1,000 feet to the west of the subject property. The MassTurnpike is approximately 750 feet to the north and to the west of the site; Lasell College campus is approximately ½ mile to the south and east.

VI. ANALYSIS

A. Technical Considerations

The following chart illustrates how the proposed new single-family dwelling in a Single Residence 3 District on an “Old Lot” compares to the dimensional and parking requirements of the Ordinance:

<i>SINGLE RESIDENCE 3</i>	Ordinance	Existing	Proposed
Min. Lot Size	7,000 s.f.	32,850 s.f.	Same
Min. Frontage	70 ft.	133 ft.+/-	Same
Setbacks			
Front	25 ft.	50 ft.	53 ft.
Side yard	7.5 ft.	25 ft.	18.3 ft (east) 45.7 ft (west)
Rear yard	15 ft.	64 ft.	38.4 ft.
Max. Height	30 ft.	15 ft.	28.6 ft.
Max. Stories	2 ½ stories	1 story	2 1/2 stories
Max Lot Coverage	30%	4.5%	12.9 %
Min. Open Space	50%	94%	76.5%
F.A.R.	0.35	.05	.22
Parking Spaces	2 stalls	2 stalls	3 car garage
Maximum Garage Size	700 sq. ft.	None	972 sq. ft.
Width of Driveway	20' max.	23 ft.	13-15 ft.

As can be seen in the table above the lot and residence meet all of the dimensional requirements except the size of the proposed garage.

B. Land Use

The petitioner is proposing to construct a new single-family residence on this 32,850 square foot lot. The use, as a single-family residence, is consistent with the predominantly single-family neighborhood. In the application for special permit, the petitioner states that the proposed 972 square foot garage is necessary because of family size and the need for the additional room for 3 vehicles and significant space for storage of recreational equipment.

C. Historical Commission Review

At their March 27, 2003 meeting, the Newton Historical Commission reviewed the existing single-family Ranch-style dwelling and determined it to be “Preferably Preserved” and imposed a demolition delay. An agreement between the Commission and the previous owner to allow the demolition of the existing dwelling and the subsequent construction of the new dwelling was not resolved. The demolition delay expired in March 27, 2004 and the ranch house was subsequently demolished.

D. Design

The proposed 2½ story, single-family residence, with three car garage, would contain approximately 7,000 s.f. of gross floor area. The residential structure will be 98 feet long, 36 to 54 feet wide, and 28’ 6” in height, will be faced with cedar shingles, Anderson windows, and will have a shingled roof with copper flashing.

The subject attached three-car garage is also located on the first floor and will have a story above with 3 gabled dormers on the south side and a full shed dormer on the north side. The structure will be 26 feet long, 36 feet wide and as with the residential portion of the structure will be faced with cedar shingles, Anderson windows, and will have a shingled roof with copper flashing. The garage has been designed with three separate bays, with a slight arch above each. From the submitted elevation, each garage door has been designed to appear as two separate doors. The design of the bays and the details on the proposed garage doors help to break up the mass of the garage façade.

E. Departmental Reviews

The Associate City Engineer reviewed and approved the submitted plans when the petitioner applied for the building permit.

F. Relevant Site Plan Approval Criteria

1. Convenience and safety of vehicular and pedestrian movement.

Given the petitioner’s proposed use of the existing curb cut and the use of the site as a single-family residence, the Planning Department believes that there are no vehicular or pedestrian issues associated with this petition.

2. Screening of parking areas and structures

Because of the angle of the garage, the design of the bays and doors, and proximity of the garage doors from the public way, the Planning Department did not believe a landscape plan was required for this project. Further, from the submitted survey, there appears to be some existing mature landscaping along the south property line that should help break up the façade of the garage when viewed from the abutting residence at 1 Leighton Road, and from the public way. The Planning Department did recommend that the petitioner review the proposed plans with the abutter neighbors, and work with them directly on any additional landscape screening along their common property line.

3. Location of utility service line underground whenever possible

The petitioner appears to be providing all utilities underground. The site plan depicts leaching galleys for roof and driveway drainage and abandonment of the existing 6" sewer line to Williston Road. There will be a new 6" sewer line connection to the sewer line within the 15' wide City sewer & Drain Easement located in northwest corner of the lot.

4. Relationship of the site's structures to nearby structures.

The existing land uses in the neighborhood are predominantly single-family residences ranging in size from 1,400 s.f. to 3,168 s.f. The majority of homes are 2 stories, while a few are 2.5 stories. Although the residence and garage are larger than the existing residences in the neighborhood, the structure should not appear to be out of scale with the site, which is 3 times as large as the average lot size in the neighborhood. The new 972 sq. ft garage appears appropriately scaled to the new 7,070 s.f. residence.

G. Relevant Special Permit Criteria

1. The specific site is an appropriate location for such use/structure.

The petitioner is proposing to use the site as a single-family residence. The petitioner has indicated that they need the larger garage in order to accommodate their three vehicles plus storage for recreational equipment. This use and structure appear to be appropriate for this 32,850 s.f. lot.

2. The use as developed and operated will not adversely affect the neighborhood

The use of the larger garage with the proposed single-family residence (on a 32,000+ s.f. lot) should have little impact on the surrounding neighborhood if it is designed to be compatible with the neighborhood, properly screened, and the drainage is controlled on-site. Since the proposed use is as a single-family residence, the traffic generated from the site should be minimal and should have no adverse affect on the neighborhood streets.

VII. SUMMARY

The proposed single-family dwelling will meet all the dimensional requirements of the Single Residence 3 District except for the maximum size of the attached garage. The Planning Department believes that the size of this garage is compatible with the size of the proposed house and the large lot. Garage is sited in such a way that the garage doors are angled away from the public way, and as such should not be visible when viewed from the public way. In addition, the design of the garage bays and the details on the doors help to break up the mass of the garage façade. The presence of some existing mature landscaping along the south property line should help break up the mass of the structure when viewed from the abutting residence and from the public way.